



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

FEB 1 - 2016

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply To: OCE-101

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION

Mr. Carl Fus
Director of Operations
Lake Coeur d'Alene Cruises
115 2nd Avenue
Coeur d'Alene, Idaho 83814

Re: NPDES Compliance Inspection – Lake Coeur d'Alene Cruises

Dear Mr. Fus:

On behalf of the United States Environmental Protection Agency (EPA), I would like to express my appreciation for your time and cooperation during the May 20, 2015 federal Clean Water Act inspection of your facility in Coeur d'Alene, Idaho. The purpose of the inspection was to gather information regarding your operation as part of an overall and ongoing evaluation of the compliance status of your facility with the Clean Water Act and EPA's Vessel General Permit. You explained that Lake Coeur d'Alene Cruises operates five vessels in its fleet on Lake Coeur d'Alene.

During the inspection, EPA found the following violations:

1. EPA's Vessel General Permit is applicable to discharges incidental to the normal operation of a vessel (e.g., graywater) into waters of the United States. According to the information you provided during the inspection, graywater is discharged directly to Lake Coeur d'Alene from eight sink drains located onboard each of the two larger vessels. Part 1.5.1.2 of the Vessel General Permit explains that if your vessel is less than 300 gross tons, you must complete a Permit Authorization and Record of Inspection (PARI) form and keep a copy of it onboard your vessel at all times. At the time of the inspection, you did not have a PARI form for either the Mish-an-Nock or the Coeur d'Alene and, therefore, these vessels do not have a National Pollutant Discharge Elimination System (NPDES) permit. The discharge of pollutants from a vessel into a water of the United States without authorization under an NPDES permit is a violation of Section 301(a) of the Clean Water Act, 33 U.S.C. § 1311(a). Violations of the Clean Water Act may result in liability for statutory civil or administrative penalties.
2. Pursuant to Part 6.8.6 of EPA's Vessel General Permit, the discharge of graywater or a sewage/graywater mixture otherwise authorized under the Permit is prohibited in Boundary, Bonner, Kootenai, Benewah, and Shoshone counties in Northern Idaho (in accordance with the Panhandle Health District Rules contained in IDAPA 41.01.01.200.01(c)).

According to the information you provided during the inspection, all five of your vessels discharge graywater directly to Lake Coeur d'Alene. For the Mish-an-Nock and the Coeur d'Alene, these discharges are also violations of Part 6.8.6 of the EPA Vessel General Permit.

The following area of concern was also noted during the inspection:

According to the information you provided during the inspection, graywater is discharged directly to Lake Coeur d'Alene from three sink drains located onboard each of the three smaller vessels. Although these vessels are not currently required to obtain NPDES permit authorization, as explained in violation #2 above, the discharge of graywater or a sewage/graywater mixture into Lake Coeur d'Alene is prohibited.

If you have any questions regarding this letter or other matters related to your compliance with environmental laws, please contact Tara Martich, Compliance Officer, at (907) 271-6323.

Sincerely,



Edward J. Kowalski
Director

cc: Ms. June Bergquist
Idaho Department of Environmental Quality

Mr. Erik Ketner
Panhandle Health District

CONCURRENCES					
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Date		<i>2/1/16</i>			

cc:
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